**HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No.10051 of 2010**

ORDER:

Heard Sri T.S.N.Murthy, Learned Counsel for the petitioner and Sri S.Nageswara Reddy, Learned Standing Counsel for the respondent – Corporation. At their request, the Writ Petition is disposed of at the stage of admission.

The petitioner claims to be the owner of a house property with site admeasuring 101 sq. yards out of 160 sq yards purchased by him by registered sale deed dated 21.7.2004 and to have been in possession and enjoyment thereof eversince. The petitioner's grievance is that the respondents are seeking to lay a road across the petitioner's land without initiating land acquisition proceedings and without putting the petitioner on notice before initiating action to lay the road on his land.

Sri S.Nageswara Reddy, Learned Standing Counsel for the respondent – Corporation, would submit that, in case the petitioner is owner of the land, the respondent – Corporation would not dispossess him from the land in question except in accordance with Sections 146 and 147 of the Hyderabad Municipal Corporation Act, 1955, as extended to the respondent – Corporation and, in case the petitioner is not the owner, the respondent would put him on notice, give him an opportunity of being heard and, thereafter, take action in accordance with law.

In view of the submission now made, on instructions, by the Learned Standing Counsel, the Writ Petition is disposed of directing the respondents not to interfere with the petitioner's possession over the land in question except in accordance with

Sections 146 and 147 of the Hyderabad Municipal Corporation Act, 1955 as extended to the respondent – Corporation and, in case the petitioner is not the owner, except after putting him on notice and giving him an opportunity of being heard

The Writ Petition is disposed of accordingly. No order as to costs.

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28-4-2010

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